

REMARKS

Claims 18-22 and 28-31 are pending in the present application. Claims 1-17 and 23-27 were canceled. Reconsideration of the application is respectfully requested in view of the following responsive remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action:

In the Office Action of October 14, 2005, the following actions were taken:

- (1) All prior rejections were withdrawn; and
- (2) Claims 18-22 and 28-31 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,548,025 (hereinafter "Rasouli").

It is respectfully submitted that the presently pending claims be examined and allowed.

Rejections under 35 U.S.C. § 102

Claims 18-22 and claims 28-31 were rejected under 35 U.S.C. 102(e) as being anticipated by Rasouli. Before discussing the rejections, it is thought proper to briefly state what is required to sustain such a rejection. It is well settled that "[a] claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). In order to establish anticipation under 35 U.S.C. § 102, all elements of the claim must be found in a single reference. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986), *cert. denied* 107 S.Ct. 1606 (1987). In particular, as pointed out by the court in *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1981), *cert denied*, 469 U.S. 851 (1984), "anticipation requires that each and every element of the claimed invention be disclosed in a prior art reference." "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.* 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 18 of the present application teaches a method of releasing an odor from a printed image, comprising the steps of: providing a substrate having printed thereon an image comprising an electro-thermal odor-releasing ink; providing

an energy source; and completing an electric circuit between the electro-thermal odor-releasing *ink* and the energy source, thereby releasing an odor.

As previously recited, new claim 28 of the present application teaches a method of releasing an odor from a printed image comprising the steps of: providing a substrate having printed thereon an image comprising an electro-thermal odor-releasing *ink*; providing an energy source; and completing a circuit between the electro-thermal odor-releasing ink and the energy source by coupling the energy source to the electro-thermal odor-releasing ink with a conductive element, thereby releasing an odor.

Discussion

Claims 18 and 28 each have several elements that are neither taught nor suggested by Rasouli. Specifically, Rasouli does not teach or suggest of using an *ink* that is, of itself, conductive. Rasouli never mentions the term ink, and does not discuss the term “print” in the context of applying an odor-releasing material to a substrate. Thus, Rasouli does not teach of an ink, nor does it teach of the application process of printing. Further, there is no mention or suggestion in Rasouli that the odor-releasing material can be part of a conductive ink. Rasouli is about adsorbing odors into an adsorbing material, wherein the odors can be released upon application of heat to the adsorbing material. Upon application of heat, the properties of the material changes, allowing for the ink to be released. For example, the pores or materials that hold the odor can be modified to release the odor upon heat stimulation to the material, e.g., pores open, etc.

As stated above and reiterated here, the present invention is drawn to methods wherein the actual *ink itself* is conductive, e.g., either electrically conductive (claim 18) or generally conductive (claim 28). This is neither taught nor suggested by Rasouli, as Rasouli uses metal disks or other conductive objects to provide the conductivity of heat generated by any of a number of methods, e.g., use of heaters, lasers, etc. Further, Rasouli does not print these images, but rather, applies a substance that has an odor to a material that will adsorb the substance and not release the odor until the material is modified by heat. Both claims 18 and 28 require that a substrate be provided that has an image printed thereon that comprises an electro-thermal odor-releasing ink. Thus, there are at least two elements in each of claims 18

and 28 that are not present in Rasouli. Further, regarding claim 18, there is no teaching or suggestion of creating an electric circuit between the ink and the energy source to release the odor. In other words, the ink is part of the electric circuit. This concept is neither taught nor suggested by Rasouli.

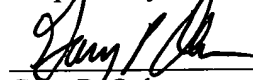
In view of the foregoing, Applicant believes that independent claims 18 and 28 present allowable subject matter and allowance is respectfully requested. In addition, as claims 19-22 and 29-31 depend from an allowable independent claim, they are each in allowable condition.

If any impediment to the allowance of these claims remains after consideration of the above remarks, and such impediment could be removed during a telephone interview, the Examiner is invited to telephone W. Bradley Haymond (Registration No. 35,186) at (541) 715-0159 so that such issues may be resolved as expeditiously as possible.

Please charge any additional fees except for Issue Fee or credit any overpayment to Deposit Account No. 08-2025

Dated this 6th day of January, 2006.

Respectfully submitted,



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